



O'Melveny & Myers LLP
1999 Avenue of the Stars
8th Floor
Los Angeles, CA 90067-6035

T: +1 310 553 6700
F: +1 310 246 6779
omm.com

File Number:

May 8, 2025

Daniel M. Petrocelli
D: +1 310 246 6850
dpetrocelli@omm.com

VIA ECF

The Honorable Jesse M. Furman
United States District Judge
Southern District of New York
Thurgood Marshall Courthouse
40 Foley Square
New York, New York 10007

**RE: Letter-Motion for Entry of Judgment or Leave to File Proposed Judgment in
Peary v. DC Comics, et al., No. 1:25-cv-00910-JMF**

Dear Judge Furman:

Defendants DC Comics Inc.; DC Comics; DC Entertainment; and Warner Bros. Discovery, Inc. (collectively, “DC”) respectfully move this Court for entry of judgment pursuant to Federal Rule of Civil Procedure 58(d) or for leave to file a proposed judgment.

On April 24, 2025, the Court granted DC’s Motion to Dismiss in full and directed the Clerk of Court to close the case. ECF No. 63. The Clerk has since done so. However, no judgment has issued. Pursuant to Federal Rule of Civil Procedure 58, every judgment must be set out in a separate document, with certain exceptions not applicable here. The entry of judgment triggers important case deadlines, including the deadline to file a notice of appeal pursuant to Federal Rule of Appellate Procedure 4.

Federal Rule of Civil Procedure 58(d) provides that a party may request judgment to be set out in a separate document as required by Rule 58(a). Therefore, DC respectfully requests that the Court enter judgment or grant DC leave to file a proposed judgment for the Court’s consideration.



Respectfully submitted,

Dated: May 8, 2025

O'MELVENY & MYERS LLP

By: /s/ Daniel M. Petrocelli

Daniel M. Petrocelli

Daniel M. Petrocelli (*pro hac vice*)

dpetrocelli@omm.com

Matt Kline (*pro hac vice*)

mkline@omm.com

Cassandra L. Seto (*pro hac vice*)

cseto@omm.com

1999 Avenue of the Stars, 8th Floor

Los Angeles, California 90067

Telephone: (310) 553-6700

Facsimile: (310) 246-6779

Natasha W. Teleanu

nteleanu@omm.com

Danielle Feuer

dfeuer@omm.com

1301 Avenue of the Americas, Suite 1700

New York, NY 10019-6022

Telephone: (212) 326-2000

Facsimile: (212) 326-2061

Attorneys for Defendants